

United States District Court
For the Northern District of California

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5 UNITED STATES OF AMERICA,

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8 No. CR 15-0416 WHA

9 Plaintiff,

10 v.

11 ENZO CESTONI,

12 Defendant.

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14 /
15 ORDER RE RESPONSES TO RULE
16 29 AND RULE 33 BRIEFING

17 Both sides have submitted briefing regarding defendant's Rule 29 motion on Count One
18 of the superseding indictment (the July 4 Instagram photo) and defendant has also filed a Rule
19 33 motion on Count Two (the July 7 incident at Blondie's). By **NOON ON APRIL 26, 2016**, both
20 the government and the defense may respond to the other side's briefing. The government's
21 response shall state (in a sworn declaration) the date and exact time at which counsel, an agent,
22 or a paralegal first learned of the *Brady* material contained in Claudio Maciel's draft
23 presentence report. The defense's response shall state (in a sworn declaration) the full extent to
24 which the defense already knew of the information contained in the recent *Brady* disclosure and
exactly when and how the defense learned of that information. A hearing on the Rule 29 and
Rule 33 motions is hereby set for **TWO P.M. ON MAY 3, 2016**.

25
26 IT IS SO ORDERED.
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28 Dated: April 20, 2016.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE